

81-40-A **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

CASIMIRO and
I, or we, BEATRICE AGUILERA legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02, P.C. 1 to permit a sum of the side yards of 21.6' in lieu of the required 25'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

We wish to attach proposed garage to our house for the following reasons:

1. This will preserve our back yard for family recreation.
2. Will only require a driveway from the street to the front of the house instead of to the back yard.
3. House will now be offset to west side of lot, by adding attached garage, building will balance structures on property.
4. Original drawing was made with garage attached as we would like to do at this time.
5. In bad weather we would be able to go from car into house by way of garage.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

DATE August 9, 1980
ORDER RECEIVED FOR FILING

Contract purchaser Casimiro Aguilera
Address 4 A Washington Street
Timonium Heights, Md. 21093
628-2742 wk. 252-8280

Petitioner's Attorney Beatrice Aguilera
Protestant's Attorney Beatrice Aguilera

ORDERED By The Zoning Commissioner of Baltimore County, this FIRST day of July 1980 that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th day of September 1980 at 9:30 o'clock A.M.

John L. Wimbley
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY

ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE August 28, 1980

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. Casimiro Aguilera
4 A Washington Street
Timonium Heights, Maryland 21093

RE: Item No. 6
Petitioners - Casimiro Aguilera, et ux
Variance Petition

Dear Mr. & Mrs. Aguilera:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NEC:hk

Enclosures

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

August 15, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Item #6 (1980-1981)
Property Owner: Casimiro Aguilera
N/S Washington St. 212' W. of York Rd.
Acres: 9,600 sq. ft. District: 8th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Washington Street, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this property.

Very truly yours,

William N. Diver, P.E.
WILLIAM N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Somers

S-NE Key Sheet, 57 NW 4 Pos. Sheet
NW 15 A Topo, 51 Tax Map

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

August 20, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #6, Zoning Advisory Committee Meeting, July 1, 1980, are as follows:

Property Owner: Aguilera Casimiro
Location: N/S Washington St. 212' W. of York Road
Acres: 9,600 sq. ft.
District: 8th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3559

STEPHEN E. COLLINS
DIRECTOR

August 11, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments on Items 1, 2, 5, 6, 7, and 8 of the Zoning Advisory Committee Meeting of July 1, 1980.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Engineer Associate II

MSF/hmd

BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204
DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

July 29, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #6, Zoning Advisory Committee Meeting of July 1, 1980, are as follows:

Property Owner: Aguilera Casimiro
Location: N/S Washington St. 212' W. of York Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side yard setback of 10 ft. instead of 13.6' and sum of side yards of 21.6' instead of 25 ft.
Acres: 9,600 sq. ft.
District: 8th

Metropolitan water and sewer exist, therefore, no health hazards are anticipated.

Very truly yours,

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/mw

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

August 5, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Aguilera Casimiro

Location: N/S Washington Street 212' W. of York Road

Item No: 6

Zoning Agenda: Meeting of July 1, 1980

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER Paul H. Reincke Noted and Approved: George M. Hargrett
Planning Group Fire Prevention Bureau
Special Inspection Division

pursuant to the advertisement, posting of property, and a public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance(s) requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of October, 1980, that the herein Petition for Variance(s) to permit a sum of the side yards of 21.6 feet in lieu of the required 25 feet, for the expressed purpose of constructing an enclosed garage, in accordance with the site plan filed herein, dated June 19, 1980, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

William E. Hammond
Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick Comadari Date: _____
FROM: C.E. Burnham
SUBJECT: Zoning Advisory Meeting July 1, 1980

Item #1 See Comment
Item #2 Standard Comment
Item #3 See Comments
Item #4 Parking Variance - Standard Comment
Item #5 See Comments
Item #6 Standard Comment
Item #7 Standard Comment
Item #8 Standard Comment
Item #209 Revised No Further Comment

C.E. Burnham
C.E. Burnham
Plans Review Supervisor

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: June 26, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: July 1, 1980

RE: Item No: 1, 2, 3, 4, 5, 6, 7, 8
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Notes:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petroich
Wm. Nick Petroich, Assistant
Department of Planning

WNP/bp

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S of Washington St., 212' : OF BALTIMORE COUNTY
W of York Rd., 8th District :
CASIMIRO AGUILERA, et ux, : Case No. 81-49-A
Petitioners :

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 19th day of August, 1980, a copy of the foregoing Order was mailed to Mr. and Mrs. Casimiro Aguilera, 4 A Washington Street, Timonium, Maryland 21093, Petitioners.

John W. Hession, III
John W. Hession, III

ZONING DESCRIPTION

Beginning for the same on the North Side of Washington St., 212 ft. West of York Road. Being lots 17, 18, 19, 20, Block F, Timonium Heights Plat Book No. 5, Folio No. 82, 80' x 120', containing 9,600 square feet.

I,
Mrs. ETHEL MARTIN,

The neighbor on West side of Mr. and Mrs. CASIMIRO AGUILERA, At 4 WASHINGTON Street, Timonium Heights, Maryland, 21093. Have no objection to a change in the Sum of side yards from 25' to 21'6".

Mrs. Ethel Martin

PETITIONER'S
EXHIBIT 1

Mr. William E. Hammond
Zoning Commissioner
Room 109, County Office Building
Towson, Maryland 21204

granted 10/9/80

RE: Case No. 81-49A
Building Permit Application,
No. 31306 AM 4/10 WCR
8th. Election District

Dear Mr. Hammond:

We, the undersigned, being the owner of the above mentioned property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of your Order being subject to a thirty (30) day appeal period, but wish to go ahead with the construction of improvements on the property prior to the expiration of said appeal period.

We hereby relieve our builder, Baltimore County Maryland and you from any liability or responsibility in this matter and agree to assume any and all financial responsibility for any consequences which might arise during the appeal period if an appeal is filed after construction has begun.

Very truly yours,

Casimiro Aguilera
Casimiro Aguilera
Beatrice Aguilera
Beatrice Aguilera

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-0353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

October 9, 1980

Mr. & Mrs. Casimiro Aguilera
4A Washington Street
Timonium Heights, Maryland 21093

RE: Petition for Variance
N/S of Washington Street, 212' W
of York Road - 8th Election District
Casimiro Aguilera, et ux -
Petitioners
NO. 81-49-A (Item No. 6)

Dear Mr. & Mrs. Aguilera:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hession, III, Esquire
People's Counsel

PETITION FOR VARIANCE

8th District

ZONING: Petition for Variance for side yard setbacks
LOCATION: North side of Washington Street, 212 feet West of York Road
DATE & TIME: Tuesday, September 9, 1980 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a sum of the side yards of 21.6' in lieu of the required 25 feet

The Zoning Regulation to be excepted as follows:

Section 1802.3.C.1 - side yard setbacks

All that parcel of land in the Eighth District of Baltimore County

Being the property of Casimiro Aguilera, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, September 9, 1980 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

WILLIAM E. HAMMOND
ZONING COMMISSIONER

August 26, 1980

Mr. & Mrs. Casimiro Aguilera
4 A Washington Street
Timonium Heights, Maryland 21093

RE: Petition for Variance
N/S Washington St., 212' W of
York Road
Case No. 81-49-A

Dear Sirs:

This is to advise you that \$41.75 is due for
advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and
remit to Sandra Jones, Room 113, County Office Building, Towson,
Maryland 21204, before the hearing.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH:sj

Mr. & Mrs. Casimiro Aguilera
4 A Washington Street
Timonium Heights, Maryland 21093

August 11, 1980

NOTICE OF HEARING

RE: Petition for Variance - N/S Washington St., 212' W of
York Road - Case No. 81-49-A

TIME: 9:30 A.M.

DATE: Tuesday, September 9, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W.E. Hammond
TO: Zoning Commissioner
John D. Seyffert, Director
FROM: Office of Planning and Zoning
SUBJECT: Petition No. 81-49-A--Item 6--

Date: August 21, 1980

Petition for Variance for side yard setbacks
North side of Washington Street, 212 feet West of York Road
Petitioner- Casimiro Aguilera, et ux

Eighth District

HEARING: Tuesday, September 9, 1980 (9:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

JDS:JGH:ab

Mr. & Mrs. Casimiro Aguilera
4 A Washington Street
Timonium Heights, Maryland 21093

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 1st day
of July, 1980.

WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Casimiro Aguilera, et ux

Petitioner's Attorney

Reviewed by: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 21, 1980

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., on the 19th
day of September, 1980, the first publication
appearing on the 21st day of August, 1980.

THE JEFFERSONIAN
Manager

Cost of Advertisement, \$

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 19 day of June, 1980.

Filing Fee \$ 25.00 Received: ☒ Check
☐ Cash
☐ Other

#6

Petitioner Casimiro Aguilera Submitted by Same

Petitioner's Attorney Reviewed by WCR

*This is not to be interpreted as acceptance of the Petition for assignment of a
hearing date.

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										

Reviewed by: WCR Revised Plans:
Change in outline or description Yes
Previous case: Map # 3D, NW 1/4 No

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE August 11, 1980 ACCOUNT 01-662
AMOUNT \$25.00
FOR Filing Fee for Case No. 81-49-A
RECEIVED Casimiro Aguilera
01-662

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE September 9, 1980 ACCOUNT 01-662
AMOUNT \$41.75
FOR ADV. & Posting for Case No. 81-49-A
RECEIVED Casimiro Aguilera
01-662

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District 8th Date of Posting August 22, 1980

Posted for: PETITION FOR VARIANCE

Petitioner: CASIMIRO & DEATRICE AGUILERA

Location of property: N/S WASHINGTON ST. 212' W OF YORK RD

Location of Signs: FRONT & 4A WASHINGTON ST

Remarks:

Posted by: Thomas F. Rabaul Date of return August 29, 1980

Number of Signs: ONE

PETITION FOR VARIANCE

8th District

Zoning: Petition for Variance

Location: North side of

Washington Street, 212 feet

West of York Road.

Date & Time: Tuesday,

September 9, 1980 at 9:30 A.M.

Public Hearing: Room 106,

County Office Building, 111 W.

Chesapeake Avenue, Towson,

Maryland.

The Zoning Commissioner

of Baltimore County, by

authority of the Zoning Act and

Regulations of Baltimore

County, will hold a public

hearing.

Petition for Variance to

permit a sum of the side yards

of 21.6' in lieu of the required 25

feet.

The Zoning Regulation to be

accepted as follows:

Section 1802.3.C.1 - side yard

setbacks.

All that parcel of land in the

Eighth District of Baltimore

County

Beginning for the same on the

North Side of Washington St.,

212 ft. West of York Road.

Being lots 17, 18, 19, 20, Block

P. Timonium Heights Plat Book

No. 6, folio no. 22, 23 & 24,

containing 8,600 square feet.

Being the property of

Casimiro Aguilera, et ux, as

shown on plat plan filed with

the Zoning Department.

Hearing Date:

TUESDAY, SEPTEMBER 9, 1980

AT 9:30 A.M.

Public Hearing: Room 106,

County Office Building, 111 W.

Chesapeake Avenue, Towson,

Maryland.

BY ORDER OF

WILLIAM E. HAMMOND

Zoning Commissioner

of Baltimore County

The Essex Times

Essex, Md., August 21, 1980

This is to Certify, That the annexed

Petition

was inserted in The Essex Times, a newspaper

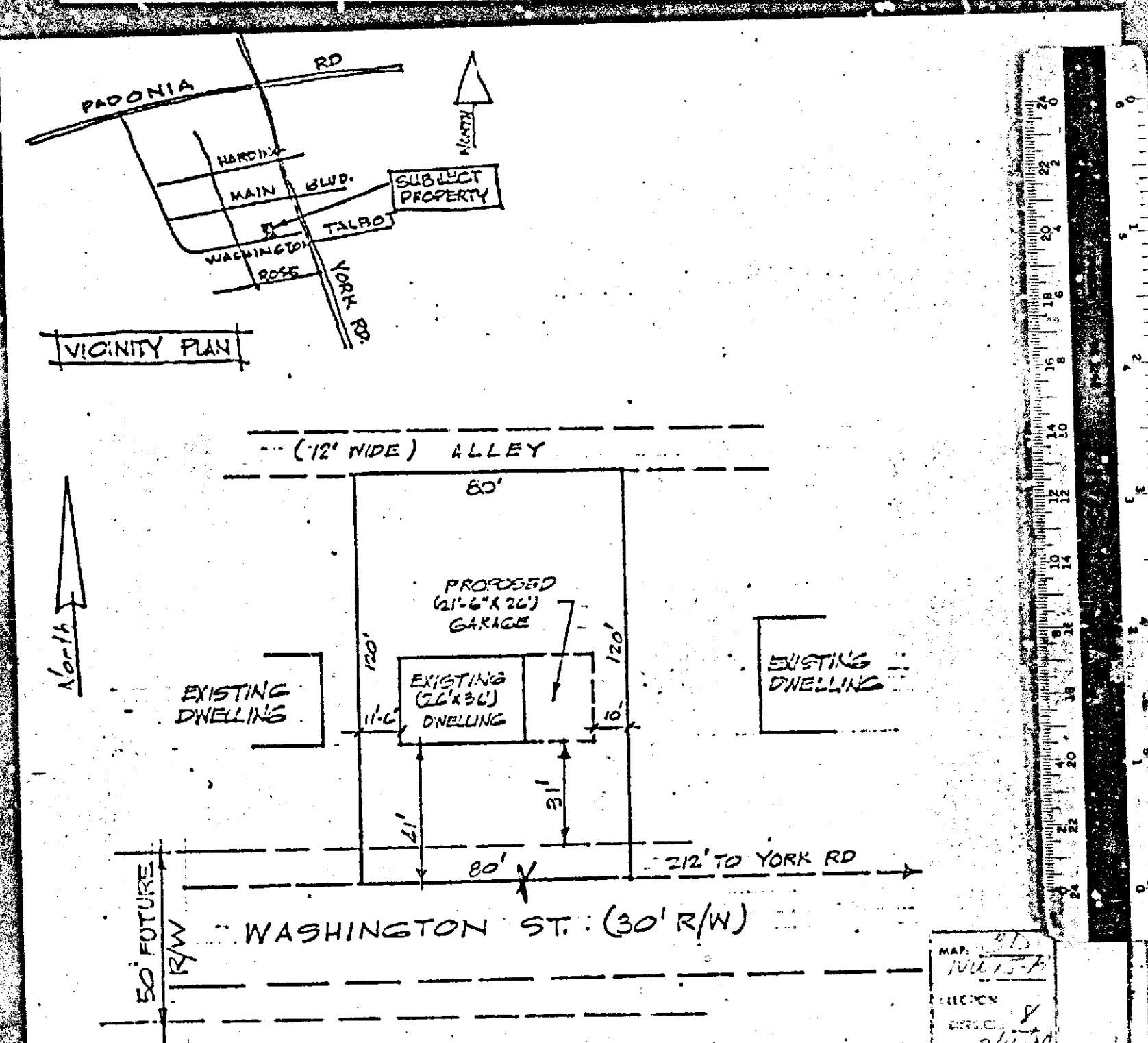
printed and published in Baltimore County, once in

each of successive

weeks before the 21st day of

September, 1980

Sh. D. W. Publisher.



PETITION FOR ZONING VARIANCE
For Mr. & Mrs. CASIMIRO AGUILERA
TIMONIUM HEIGHTS
LOTS 17, 18, 19 & 20, BLK. F
W.P.C. #5 FOLIO 82
PUBLIC UTILITIES EXISTING IN THE ST.
ZONED D.R. 3.5
SCALE: 1"=40'

OWNERS WILL TAKE FULL RESPONSIBILITY
AS TO THE INFORMATION PROVIDED ON
SAID PLOT PREPARED BY BALTO. CO.

6-12-80
DATE

6-12-80
DATE